



Atty. Dkt. No. 047172-0154

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert LEVY et al.

Title: REVERSE GENE THERAPY

Appl. No.: 09/487,851

Appl. Filing Date: 01/19/2000

Examiner: Qian J. Li

Art Unit: 1632

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REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Commissioner for Patents
Box RCE
Washington, D.C. 20231

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

Please enter and consider the amendment/reply previously filed on October 29, 2002.

Please consider the Affidavit(s)/Declaration(s) previously filed on ____ but not considered.

Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.

Other ____.

b. Enclosed are:

Amendment/Reply.

Affidavit(s)/Declaration(s).

Information Disclosure Statement.

Form PTO-1449 with copies of ___ listed reference(s).

Other .

Miscellaneous:

Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ___ months.

The filing fee is calculated below:

Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e)			\$740.00	\$740.00
Total Claims: <u>19</u>	<u>—</u>	<u>42</u>	<u>=</u>	<u>0</u>
			x	
			\$18.00	=
Independents: <u>1</u>	<u>—</u>	<u>3</u>	<u>=</u>	<u>0</u>
			x	
			\$84.00	=
First presentation of any Multiple Dependent Claims:			+ \$280.00	=
			CLAIMS FEE TOTAL:	=
				\$740.00

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

[] Extension for response filed within the first month:	\$110.00	\$0.00
[X] Extension for response filed within the second month:	\$400.00	\$400.00
[] Extension for response filed within the third month:	\$920.00	\$0.00
[] Extension for response filed within the fourth month:	\$1,440.00	\$0.00
[] Extension for response filed within the fifth month:	\$1,960.00	\$0.00
	EXTENSION FEE TOTAL:	\$400.00
	CLAIMS AND EXTENSION FEE TOTAL:	\$1140.00
[X]	Small Entity Fees Apply (subtract ½ of above):	\$570.00
[] Suspension of action requested under 37 C.F.R. § 1.103(c)		\$0.00
	TOTAL FEE:	\$570.00

[X] A check in the amount of \$570.00 to cover the filing fee is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By S. A. Bent

Date 3 December 2002

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5404

Facsimile: (202) 672-5399

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicants hereby petition for any needed extension of time.